

By Senator Smith

14-753-04

See HB 129

1 A bill to be entitled
2 An act relating to elevator safety; requiring
3 elevators in certain newly constructed or
4 substantially renovated buildings within a
5 state emergency response region to be operable
6 in a fire emergency situation through the use
7 of a single master elevator key; requiring
8 compliance for certain existing buildings by a
9 specified date; restricting the duplication and
10 issuance of master elevator keys; authorizing
11 local fire marshals to allow substitute
12 emergency measures for emergency elevator
13 access in certain circumstances; providing for
14 appeal of a local fire marshal's decision;
15 providing for enforcement by the Division of
16 State Fire Marshal; providing an exemption for
17 specified buildings; amending s. 399.106, F.S.;
18 revising the membership of the Elevator Safety
19 Technical Advisory Committee; removing
20 provisions terminating the committee; providing
21 an effective date.

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23 Be It Enacted by the Legislature of the State of Florida:

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25 Section 1. Regional emergency elevator access.--
26 (1) In order to provide emergency access to elevators:
27 (a) For each building in this state which is six or
28 more stories in height, including, but not limited to, hotels
29 and condominiums, on which construction is begun after June
30 30, 2004, all keys for elevators that allow public access,
31 including, but not limited to, service and freight elevators,

1 must be keyed in a manner that will allow all elevators within
2 each of the seven state emergency response regions to operate
3 in fire emergency situations by using one master elevator key.

4 (b) Any building in this state which is six or more
5 stories in height and is "substantially renovated" as defined
6 in the Americans with Disabilities Act, as amended, after June
7 30, 2004, must also comply with the requirements of paragraph
8 (a).

9 (2) Each existing building in this state which is six
10 or more stories in height must comply with the requirements of
11 subsection (1) before July 1, 2007.

12 (3) In addition to elevator owners, elevator owners'
13 agents, elevator contractors, state certified inspectors, and
14 State of Florida agency representatives, master elevator keys
15 may be issued only to fire departments and may not be issued
16 to any other emergency-response agency. A person may not
17 duplicate a master elevator key for issuance to, or issue a
18 master elevator key to, anyone other than authorized fire
19 department personnel. Each master elevator key must be marked
20 "DO NOT DUPLICATE."

21 (4) If it is technically or physically impossible to
22 bring a building into compliance with this section, the local
23 fire marshal may allow substitute emergency measures that will
24 provide reasonable emergency elevator access. The local fire
25 marshal's decision regarding substitute measures may be
26 appealed to the State Fire Marshal.

27 (5) The Division of State Fire Marshal of the
28 Department of Financial Services shall enforce this section.

29 (6) Builders should make every effort to use new
30 technology and developments in keying systems which make it
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1 possible to convert existing equipment in a manner that will
2 provide efficient regional emergency elevator access.

3 (7) Any building operated by an independent special
4 district or an airport that has 24-hour emergency response
5 services is exempt from this section.

6 Section 2. Section 399.106, Florida Statutes, is
7 amended to read:

8 399.106 Elevator Safety Technical Advisory
9 Committee.--

10 (1) The Elevator Safety Technical Advisory Committee
11 is created within the Department of Business and Professional
12 Regulation, Division of Hotels and Restaurants, consisting of
13 eight ~~seven~~ members to be appointed by the secretary of the
14 Department of Business and Professional Regulation as follows:
15 one representative from a major elevator manufacturing company
16 or its authorized representative; one representative from an
17 elevator servicing company; one representative from a building
18 design profession; one representative of the general public;
19 one representative of a local government in this state; one
20 representative of a building owner or manager; one
21 representative of labor involved in the installation,
22 maintenance, and repair of elevators; and one representative
23 who is a certified elevator inspector from a private
24 inspection service. The purpose of the committee is to provide
25 technical assistance to the division in support of protecting
26 the health, safety, and welfare of the public; to give the
27 division the benefit of the committee members' knowledge and
28 experience concerning the industries and individual businesses
29 affected by the laws and rules administered by the division.

30 (2) The committee members shall serve staggered terms
31 of 4 years to be set by rule without salary, but may receive

1 from the state expenses for per diem and travel. The committee
2 shall appoint one of the members to serve as chair.

3 ~~(3) The committee shall meet and organize not later~~
4 ~~than 45 days prior to the convening of the 2002 Legislature.~~
5 ~~This committee terminates December 31, 2003.~~

6 (3)~~(4)~~ The committee may consult with engineering
7 authorities and organizations concerned with standard safety
8 codes for recommendations to the department regarding rules
9 and regulations governing the operation, maintenance,
10 servicing, construction, alteration, installation, or
11 inspection of vertical conveyances subject to this chapter.

12 Section 3. This act shall take effect July 1, 2004.
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